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UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

2004 NOV 18 P 3:36

UNITED STATES OF AMERICA )

v. )

JOSEPH DIFLUMERA, )

Defendant. )

CRIMINAL NO. 04-40002-NMG  
DISTRICT OF MASS.

**DISMISSAL OF SUPERSEDING INDICTMENT**

The United States of America, through its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby dismisses the Superseding Indictment against the defendant in the above-captioned case, pursuant to Fed. R. Crim. P. 48(a), with prejudice, in the interests of justice, on the grounds that the defendant has been charged in a First Superseding Indictment.

Respectfully submitted,



LAURA J. KAPLAN  
Assistant U.S. Attorney

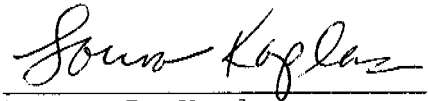
Leave to file granted, this 24<sup>th</sup> day of November, 2004.



NATHANIEL M. GORTON  
United States District Judge

**CERTIFICATE OF SERVICE**

I, Laura J. Kaplan, Assistant U.S. Attorney, certify that on this 18<sup>th</sup> day of November, 2004, I served a copy of the foregoing Dismissal of the Superseding Indictment, by mail, to Paul V. Kelly, Esq., counsel to the defendant.

A handwritten signature in cursive script, appearing to read "Laura Kaplan", is written over a horizontal line.

Laura J. Kaplan  
Assistant U.S. Attorney